

ORDINANCE NO. 730809-E

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT 7, BLOCK 2, EDMONT ADDITION; LOTS 6-9 AND VACATED AREA BETWEEN LOTS 5 AND 6, BLOCK 1, EDMONT ADDITION; LOTS 16-21 AND NORTH 45 FEET OF LOT 23, BLOCK 17, PEMBERTON HEIGHTS, SECTION 8; LOT 29 AND SOUTH 36 FEET OF LOT 27, BLOCK 17, PEMBERTON HEIGHTS, SECTION 8; LOTS 5-10, BLOCK 12, FIRST SECTION OF PEMBERTON HEIGHTS; LOTS 1, 2, 7, 10 AND WEST 40 FEET OF LOT 3, BLOCK 3, FIRST SECTION OF PEMBERTON HEIGHTS; LOTS 1-9, BLOCK 18, FIRST SECTION OF PEMBERTON HEIGHTS; LOTS 1-5, PEMBERTON HEIGHTS, SECTION 4; LOT 16, PEMBERTON HEIGHTS, SECTION 11; LOT 3, DARSEY SUBDIVISION, RESUBDIVISION OF LOTS 3, 4, 5 AND 6, AND A PORTION OF LOT 7, BLOCK 3, PEMBERTON HEIGHTS, SECTION 1; LOTS 4-25, OUTLOT 10, DIVISION "Z," SHOAL TERRACE SUBDIVISION; LOTS 26-35, OUTLOT 10, DIVISION "Z," SHOAL TERRACE SUBDIVISION; LOTS "A" AND "B," BEN H. POWELL SUBDIVISION; A 13,504 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 2919-2923 WOOLDRIDGE DRIVE; A 26,136 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 1409-1411 WOOLDRIDGE DRIVE; A 37,026 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 1107 GASTON AVENUE; A ONE ACRE TRACT OF LAND, LOCALLY KNOWN AS 1109 GASTON AVENUE; AN 18,281 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 1200-1202 GASTON AVENUE; AND A 19,602 SQUARE FOOT AND A 1,000 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 1201-1203 CLAIRE AVENUE, FROM "A" RESIDENCE DISTRICT TO "AA" RESIDENCE DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Chapter 45 of the Austin City Code of 1967 is hereby amended to change the USE designation from "A" Residence District to "AA" Residence District on the property described in File C14-72-237, to-wit:

Lot 7, Block 2, Edgemont Addition, and Lots 6-9 and vacated area between Lots 5 and 6, Block 1, Edgemont Addition, according to a map or plat of record in Book 3, at Page 131, of the Plat Records of Travis County, Texas; and,

Lots 16-21 and north 45 feet of Lot 23, Block 17, Pemberton Heights, Section 8, and Lot 29 and South 36 feet of Lot 27, Block 17, Pemberton Heights, Section 8, according to a map or plat of record in Book 4, at Page 29, of the Plat Records of Travis County, Texas; and,

Lots 5-10, Block 12, First Section of Pemberton Heights, Lots 1, 2, 7, 10 and West 40 feet of Lot 3, Block 3, First Section of Pemberton Heights, and Lots 1-9, Block 18, First Section of Pemberton Heights, according to a map or plat of record in Book 3, at Page 136, of the Plat Records of Travis County, Texas; and,

Lots 1-5, Pemberton Heights, Section 4, according to a map or plat of record in Book 4, at Page 24, of the Plat Records of Travis County, Texas; and,

Lot 16, Pemberton Heights, Section 11, according to a map or plat of record in Book 4, at Page 211, of the Plat Records of Travis County, Texas; and,

Lot 3, Darsey Subdivision, Resubdivision of Lots 3, 4, 5 and 6, and a portion of Lot 7, Block 3, Pemberton Heights, Section 1, according to a map or plat of record in Book 13, at Page 41, of the Plat Records of Travis County, Texas; and,

Lots 4-24, and Lots 26-35, Outlot 10, Division "Z," Shoal Terrace Subdivision, according to a map or plat of record in Book 3, at Page 225, of the Plat Records of Travis County, Texas; and,

Lots "A" and "B," Ben H. Powell Subdivision, according to a map or plat of record in Book 8, at Page 75, of the Plat Records of Travis County, Texas; and,

A 13,504 square foot tract of land, being more particularly described in the following two (2) tracts of land:

TRACT ONE: A part of the George W. Spear League in Austin, Travis County, Texas, and being a part of the J. W. Harris 189 acre tract, and also a part of that certain "First Tract" of 1.03 acres described in a deed from W. T. Caswell and wife, Vivian Caswell dated March 28, 1935, to Ben H. Powell, and recorded in Book No. 522, on Pages 3 to 5, of the Travis County Deed Records and being more particularly described by metes and bounds as follows:

BEGINNING at an iron stake, the most northerly corner of that 1.03 acre tract of land out of the George W. Spear Survey, in Austin, Travis County, Texas, conveyed to Ben H. Powell by W. T. Caswell and wife, Vivian Caswell, as recorded in Travis County Deed Records in Book 522, on Pages 3 to 5;

THENCE with the agreed north line of the J. W. Harris 189 acre tract out of the George W. Spear Survey and the south line of Edgemont Addition tract, which agreed line is also the northeast line of the Ben H. Powell 1.03 acre tract, S 60° 30' E (called S 60° E on Edgemont Addition map on account of difference in variation selected, but the line on the ground is the same), 166.79 feet to an iron stake, and from which stake another iron stake set for the southwest corner of Lot 8, Edgemont Addition, bears N 30° E 50 feet;

THENCE, S 60° 30' E 20.4 feet to an iron stake in the said agreed north line of the J. W. Harris 189 acre tract;

THENCE, S 56° 38' W approximately 172 feet to an iron stake on the north or northeast line of Claire Avenue;

THENCE with the northeast line of Claire Avenue, N 33° 22' W 2.23 feet to an iron stake on the east line of Wooldridge Drive;

THENCE with the curving east line of Wooldridge Drive an arc distance of 148.19 feet, which curving line of Wooldridge Drive has a radius of 817.2 feet, and the long chord of which runs N 05° 11' W 148.0 feet to an iron stake for a point of tangency;

THENCE with the east line of Wooldridge Drive, N 10° 22' W 36.5 feet to the PLACE OF BEGINNING; and,

TRACT TWO: Being a portion of Block No. 7 and all of Lot No. 9, in Block No. 1, in the Edgemont Addition, to the City of Austin, Travis County, Texas, and map of which Addition is recorded in the Travis County Deed Records in Book 3, Page 131, and the premises herein being conveyed being more particularly described by metes and bounds as follows:

BEGINNING at an iron stake on the south line of Block No. 7, of "Edgemont," a subdivision of a portion of the George W. Spear Survey, as shown by map recorded in Travis County Deed Records in Plat Book 3, Page 131, said iron stake being the most northerly corner of that 1.03 acre tract of land which was conveyed to Ben H. Powell by deed recorded in Travis County Deed Records in Book 522, Page 3;

THENCE with the agreed north line or the northeast line of the J. W. Harris 189 acre tract out of the George W. Spear Survey and the south line of "Edgemont," which agreed line is also the northeast line of the Ben H. Powell 1.03 acre tract, S 60° E 166.79 feet to an iron stake which is the most southerly corner of Block No. 7 of "Edgemont";

THENCE N 30° E 50 feet to an iron stake which is the most southerly corner of Lot No. 8, Block No. 1, of "Edgemont";

THENCE with the southwest line of Lot No. 8 and the northeast line of Lot No. 9, Block No. 1, N 60° W 209.44 feet to an iron stake;

THENCE, S 10° 22' E 65.63 feet to the PLACE OF BEGINNING, locally known as 2919-2923 Wooldridge Drive, in the City of Austin, Travis County, Texas; and,

A 26,136 square foot tract of land, being east and adjacent to Lot No. 3, of the Fisher Reservation in the City of Austin, Travis County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at the northeast corner of that certain tract or parcel of land conveyed by S. W. Fisher and Josephine Lucile Fisher to Austin Development Company, by deed dated September 27th, 1927, and of record in Volume 414, at Pages 123 and 124, of the Deed Records of Travis County, Texas;

THENCE, S 19° 23' W for a distance of 180 feet to a stake for a corner;

THENCE, N 70° 37' W 138 feet to a point;

THENCE, N 11° 38' E for a distance of approximately 170 feet to a point in the south line of Wooldridge Drive;

THENCE, along the south line of Wooldridge Drive in an easterly direction for a distance of approximately 161.3 feet to the PLACE OF BEGINNING,

locally known as 1409-1411 Wooldridge Drive, in the City of Austin, Travis County, Texas; and,

A 37,026 square foot tract of land, being a part of Outlot Ten (10), in Division "Z," of the said City of Austin, Travis County, Texas, the portion of said Outlot hereby conveyed being more particularly described by metes and bounds as follows:

BEGINNING at an iron stake on the south line of the easterly extension of Gaston Avenue, a public street in said Outlot No. 10, Division "Z," in the City of Austin, Travis County, Texas, and from which stake the most westerly corner of that certain tract of land containing 1.10 acres of land which was deeded and conveyed by W. T. Caswell to the City of Austin, for street purposes, by deed dated March 19, 1934, and now of record in the Deed Records of Travis County, Texas, bears N 58° 21' W 99.04 feet, and from which stake a concrete monument set on the original northeast corner of the J. W. Harris 189 acre tract of land bears N 58° 21' W 99.04 feet and N 30° E 823.56 feet, and from which stake the northeast corner of Lot No. 9, in Block No. 18, of Pemberton Heights, bears N 58° 21' W 99.04 feet and S 30° W 5 feet;

THENCE, S 18° 15' W 328.4 feet to an iron stake set on the north line of a 7.97 acre tract previously conveyed by W. T. Caswell to the City of Austin, Texas, for park purposes;

THENCE with the north line of said 7.97 acre tract, N 82° 46' E 29.9 feet to a concrete monument, which is a corner of said 7.97 acre tract of land;

THENCE with the north line of said 7.97 acre tract of land, N 69° 32' E 113.58 feet to a concrete monument, which is a corner of said 7.97 acre tract of land;

THENCE with the north line of said 7.97 acre tract of land, N 77° 18' E 36.95 feet to an iron stake for the southeast corner of the tract of land hereby conveyed;

THENCE, N 60° 36' E 264.4 feet to an iron stake set on the south line of Gaston Avenue for the northeast corner of the tract hereby conveyed;

THENCE westerly with the curving south line of Gaston Avenue about 65 feet, and which curving line has a radius of 386.24 feet, and the sub-chord of which runs S 85° 30' W 64.86 feet to an iron stake set at a point of tangency;

THENCE with the south line of Gaston Avenue, N 89° 41' W 10 feet to a point of curve;

THENCE westerly with the curving south line of Gaston Avenue, about 25 feet and which curving line has a radius of 115.59 feet and the sub-chord of which runs N 83° 29' W 25 feet to the PLACE OF BEGINNING,

locally known as 1107 Gaston Avenue, in the City of Austin, Travis County, Texas; and,

A one acre tract of land, a part of Outlot No. Ten (10), in Division "Z," in the City of Austin, Travis County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an iron stake on the west line of said Outlot No. 10, Division "Z," which is also the east line of the George W. Spear League, which stake is also on the south line of the easterly extension of Gaston Avenue, a public street in said Outlot No. 10, Division "Z," in the City of Austin, Texas, which stake is the most westerly corner of that certain tract of land containing 1.10 acres of land which was deeded and conveyed by W. T. Caswell to the City of Austin, for street purposes, by deed dated March 19, 1934, and from which stake a concrete monument set on the original northeast corner of the J. W. Harris 189 acre tract of land bears N 30 East, 823.56 feet, and from which stake the northeast corner of Lot No. 9, in Block No. 18, of Pemberton Heights, bears S 30 West 5 feet;

THENCE, South 30 West 261.5 feet along the east line of the George W. Spear League and the west line of said Outlot No. 10, Division "Z," to an iron stake, which stake is also the southeast corner of said Lot No. 9, in Block No. 18, of Pemberton Heights, above referred to, for a corner;

THENCE, S 14° 38' E a distance of 151.67 feet to a concrete monument which is a corner of a 7.97 acre tract previously conveyed by W. T. Caswell to the City of Austin, Texas, for park purposes, for a corner of this tract;

THENCE, N 82° 46' E a distance of 75.0 feet along the north line of said 7.97 acre tract to an iron stake which is also a corner of that certain tract conveyed by W. T. Caswell to Ben R. Eppright, by deed dated March 19, 1934, and recorded in Volume 499, Pages 348-350, of the Deed Records of Travis County, Texas, for a corner of this tract;

THENCE, N 18° 15' E a distance of 328.4 feet along the tract conveyed to Ben R. Eppright, as above described, to an iron stake at the northwest corner thereof; which stake is on the south line of the easterly extension of Gaston Avenue, above referred to, and from which stake the northeast corner of Lot No. 9, in Block No. 18, of Pemberton Heights, above referred to, bears N 58° 21' W 99.04 feet and S 30° W 5 feet, for a corner of this tract;

THENCE westerly with the curving south line of Gaston Avenue about 51 feet, which curving line has a radius of 115.59 feet, to an iron stake set at a point of tangency;

THENCE westerly with the south line of Gaston Avenue 49 feet to the PLACE OF BEGINNING,

locally known as 1109 Gaston Avenue, in the City of Austin, Travis County, Texas; and,

An 18,281 square foot tract of land, being a part of the J. W. Harris 189 acre tract out of the George W. Spear League in Travis County, Texas, lying within the corporate limits of the City of Austin, and being a portion of a tract of 2-058/1000 acres of land conveyed to W. L. Bradfield and G. H. Brush by Pemberton Heights Company by deed dated June 15, 1937, recorded in Book 567, Page 190, of the Deed Records of Travis County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an iron stake in the east line of the J. W. Harris 189 acre tract, being also the east line of the George W. Spear League where the said line intersects the northeast line of Gaston Avenue, and from which iron stake a concrete monument set at the northeast corner of the J. W. Harris 189 acre tract bears, N 30° E 768-01/10 feet;

THENCE with the northeast line of Gaston Avenue, N 51° 56' W 101 feet to an iron stake for corner;

THENCE, N 30° E 166.78 feet to an iron stake for corner, said stake being also the southwest corner of a tract of land conveyed by deed dated April 6, 1937, from Pemberton Heights Company to E. M. Boyd, all as recorded in Deed Records of Travis County, Texas, in Book 559, Page 358;

THENCE with the south line of said aforementioned E. M. Boyd tract, S 60° E 100 feet for the southeast corner of same and the northeast corner of this tract, said corner being in the east line of the J. W. Harris 189 acre tract and being also in the east line of the George W. Spear League;

THENCE with the east line of the said J. W. Harris 189 acre tract and the east line of the George W. Spear League, S 30° W at 153-50/100 feet passing a concrete monument, in all 181 feet to the PLACE OF BEGINNING,

locally known as 1200-1202 Gaston Avenue, in the City of Austin, Travis County, Texas; and,

The following two (2) tracts of land containing 19,602 square feet and 1,000 square feet, respectively, and being more particularly described as follows:

TRACT ONE: A 19,602 square foot tract of land, being a portion of the George W. Spear League in the City of Austin, Travis County, Texas; and being more particularly described by metes and bounds as follows:

BEGINNING at an iron stake in the east line of the J. W. Harris 189 acre tract, being also the east line on the George W. Spear League, where the said line intersects the southwest line of Claire Avenue, being also the northwest corner of Lot No. 35 of Shoal Terrace, a subdivision to the City of Austin,

from which iron stake a concrete monument set at the original northeast corner of the J. W. Harris 189 acre tract, bears N 30° 00' E 406.66 feet;

THENCE with the east line of the J. W. Harris 189 acre tract and the east line of the George W. Spear League, being also the west line of Lot No. 35 of Shoal Terrace, S 30° 00' W 170.35 feet to an iron stake;

THENCE, N 60° 00' W 100 feet to an iron stake for the southwest corner of this tract;

THENCE, N 30° 00' E 220.60 feet to an iron stake in the southwest line of Claire Avenue;

THENCE with the southwest line of Claire Avenue, S 33° 22' E 111.86 feet to the PLACE OF BEGINNING; and,

TRACT TWO: A 1,000 square foot tract of land, being a portion of the George W. Spear League in the City of Austin, Travis County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an iron stake in the east line of the J. W. Harris 189 acre tract, being also the east line of the George W. Spear League, and being also the southeast corner of that 45/100 acre tract conveyed to E. M. Boyd by Pemberton Heights Company by deed dated March 5th, 1937, recorded in Volume 556, Pages 573-575, of the Travis County Deed Records;

THENCE with the east line of the J. W. Harris 189 acre tract and the east line of the George W. Spear League, S 30° 00' W 10 feet to an iron stake;

THENCE, N 60° 00' W 10 feet distant from and parallel to the south line of the said 45/100 acre tract conveyed to E. M. Boyd, 100 feet to stake for corner;

THENCE, N 30° 00' E 10 feet to an iron stake same being the southwest corner of the said 45/100 acre Boyd tract;

THENCE, S 60° 00' E along the south line of the said Boyd 45/100 acre tract, 100 feet to the PLACE OF BEGINNING,

locally known as 1201-1203 Claire Avenue, in the City of Austin, Travis County, Texas.

PART 2. It is hereby ordered that the USE maps accompanying Chapter 45 of the Austin City Code of 1967 and made a part thereof shall be changed so as to record the change ordered in this ordinance.

PART 3. The rule requiring that ordinances shall be read on three separate days is hereby suspended and the necessity to allow expedient development of the land

herein affected creates an emergency requiring that this ordinance become effective immediately; therefore, upon the final passage of this ordinance as required by law, this ordinance shall become effective immediately.

PASSED AND APPROVED

August 9, 1973

APPROVED:

Don R. Rath
City Attorney

ATTEST:

Ray Butler
Mayor
Elise Woosley
City Clerk

07AUG73

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS

COUNTY OF TRAVIS

Before me, the undersigned authority, a Notary Public in and for the County of Travis, State of Texas, on this day personally appeared Eleanor Walker, Classified Advertising Agent of the American Statesman, a daily newspaper published in said County and State, who, being duly sworn by me, states that the attached advertisement was published in said newspaper on the following dates, to wit: August 17, 1973, and that the attached is a true copy of said advertisement:

ORDINANCE NO. 730809-E

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT 7, BLOCK 2, EDMONT ADDITION; LOTS 6-9 AND VACATED AREA BETWEEN LOTS 5 AND 6, BLOCK 1, EDMONT ADDITION; LOTS 16-21 AND NORTH 45 FEET OF LOT 23, BLOCK 17, PEMBERTON HEIGHTS, SECTION 8; LOT 29 AND SOUTH 35 FEET OF LOT 27, BLOCK 17, PEMBERTON HEIGHTS, SECTION 8; LOTS 5-10, BLOCK 12, FIRST SECTION OF PEMBERTON HEIGHTS; LOTS 1, 2, 7, 10 AND WEST 40 FEET OF LOT 3, BLOCK 3, FIRST SECTION OF PEMBERTON HEIGHTS; LOTS 1-9, BLOCK 18, FIRST SECTION OF PEMBERTON HEIGHTS; LOTS 1-5, PEMBERTON HEIGHTS, SECTION 4; LOT 16, PEMBERTON HEIGHTS, SECTION 11; LOT 3, DARSEY SUBDIVISION, RESUBDIVISION OF LOTS 3, 4, 5 AND 6, AND A PORTION OF LOT 7, BLOCK 3, PEMBERTON HEIGHTS, SECTION 1; LOTS 4-25, OUTLOT 10, DIVISION "Z," SHOAL TERRACE SUBDIVISION; LOTS 26-35, OUTLOT 10, DIVISION "Z," SHOAL TERRACE SUBDIVISION; LOTS "A" AND "B," BEN H. POWELL SUBDIVISION; A 13,504 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 2919-2923 WOOLDRIDGE DRIVE; A 26,136 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 1409-1411 WOOLDRIDGE DRIVE; A 37,026 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 1107 GASTON AVENUE; A ONE ACRE TRACT OF LAND, LOCALLY KNOWN AS 1109 GASTON AVENUE; AN 18,281 SQUARE FOOT AND A 1,000 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 1201-1203 CALIRE AVENUE, FROM "A" RESIDENCE DISTRICT TO "AA" RESIDENCE DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

(Sgd) Eleanor Walker

SWORN AND SUBSCRIBED TO BEFORE ME, this the 19th day of September A.D. 1973.

(Sgd) Mary Ann Smith
Notary Public in and for
TRAVIS COUNTY, TEXAS

I, Elsie Woosley, City Clerk for the City of Austin, hereby certify that the above and foregoing Ordinance was published as required by the City Charter, in the American Statesman, a daily newspaper published in said City on September 19, 1973.

Elsie Woosley
City Clerk, City of Austin, Texas